

#### **REMARKS**

Applicant's representatives thank Examiner Treyger for the courteous and helpful interview on January 8, 2010.

As discussed during the interview, Applicant submits that it would not have been obvious to one of ordinary skill in the art at the time that the invention was made to supply the claimed elements of 10/575870 with the means for supplying the thermal energy, as is stated at page 3 of the Office Action. Applicant's representatives understood Examiner Treyger to agree with this argument, and understand that the double patenting rejection of Claims 1, 14, and 19 of the present Application over Claims 1, 6, 13, and 23 of Application No. 10/575,870 will be removed. Applicant accordingly believes that the present application is in condition for allowance.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney Gregg A. Koch at 310-407-3471 to resolve any such issue promptly.

#### *No Disclaimers or Disavowals*

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

**Application No.:** 10/575,875  
**Filing Date:** February 1, 2007

Co-Pending Applications of Assignee

Applicant wishes to draw the Examiner's attention to the following co-pending applications of the present application's assignee.

<b>Docket No.</b>	<b>Serial No.</b>	<b>Title</b>	<b>Filed</b>
SMNPH.003APC	10/576,263	WOUND CLEANSING APPARATUS WITH ACTIVES	09-Nov-2006
SMNPH.005APC	10/575,871	WOUND CLEANSING APPARATUS IN-SITU	29-Jan-2007
SMNPH.006APC	10/575,870	WOUND CLEANSING APPARATUS WITH SCAFFOLD	17-Apr-2006
SMNPH.007C1	11/957,860	WOUND CLEANSING APPARATUS WITH STRESS	17-Dec-2007
SMNPH.008APC	10/599,722	DRESSING AND APPARATUS FOR CLEANSING THE WOUNDS	19-Sep-2008
SMNPH.009APC	10/599,725	APPARATUS FOR CLEANSING WOUNDS WITH MEANS FOR SUPPLY OF THERMAL ENERGY TO THE THERAPY FLUID	22-Sep-2008
SMNPH.010APC	10/599,728	APPARATUS FOR ASPIRATING, IRRIGATING AND/OR CLEANSING WOUNDS	03-Nov-2008
SMNPH.011APC	11/577,642	SIMULTANEOUS ASPIRATE & IRRIGATE & SCAFFOLD	23-Aug-2007
SMNPH.014APC	11/919,355	WOUND TREATMENT APPARATUS AND METHOD	26-Oct-2007
SMNPH.015APC	11/919,369	WOUND TREATMENT APPARATUS AND METHOD	26-Oct-2007
SMNPH.016APC	11/919,354	WOUND TREATMENT APPARATUS AND METHOD	26-Oct-2007
SMNPH.017APC	12/066,578	APPARATUS WITH ACTIVES FROM TISSUE	12-Mar-2008
SMNPH.018APC	12/066,730	APPARATUS WITH ACTIVES FROM TISSUE	13-Mar-2008
SMNPH.019APC	12/066,585	APPARATUS	12-Mar-2008
SMNPH.002C1	12/416,829	APPARATUS FOR ASPIRATING, IRRIGATING AND CLEANSING WOUNDS	01-Apr-2009
SMNPH.064APC	12/667232	WOUND TREATMENT APPARATUS WITH EXUDATE VOLUME REDUCTION BY HEAT	29-Dec-2009

Application No.: 10/575,875  
Filing Date: February 1, 2007

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: January 8, 2010

By: Kregg A. Koch  
Kregg A. Koch  
Registration No. 63,035  
Attorney of Record  
Customer No. 20995  
(310) 551-3450

8224215  
120809